

Exhibit 1

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

DARRYL LEE CHERRY,
Plaintiff,

vs.

Civil Action No. 04-292 (Erie)

UNITED STATES of AMERICA, et al.,
Defendants.

DECLARATION OF JOYCE HORIKAWA

I, Joyce Horikawa, declare and state as follows:

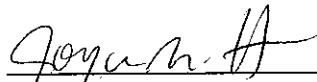
1. I am employed as a Senior Attorney for the United States Department of Justice, Federal Bureau of Prisons, Northeast Regional Office, Philadelphia, Pennsylvania. I have been employed in this capacity since approximately April 8, 2001. As an attorney for the Federal Bureau of Prisons, I have access to records maintained in the ordinary course of business in the Federal Bureau of Prisons Northeast Regional Office, including administrative remedy appeals as well as administrative tort claims for conditions arising within Bureau of Prisons institutions in the Northeast Region of the United States.

2. Attached hereto, please find true and correct copies of the following documents that are maintained in the Bureau of Prisons Northeast Regional Office:

- a. Public Information Data for inmate Darryl Lee Cherry, Reg. No. 07928-078;
- b. Administrative Remedy, Case Number 326198;
- c. Administrative Tort Case Number TRT-NER-2005-00083;
- d. Federal Bureau of Prisons Clinical Practice Guidelines for the Prevention and Treatment of Viral Hepatitis, February 2003; and
- e. NIH Consensus Development Program, Management of Hepatitis C: 2002, National Institutes of Health Consensus Conference Statement, June 10-12, 2002.

I declare the foregoing is true and correct to the best of my knowledge and belief, and is given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 31st day of August, 2005.



Joyce Horikawa
Senior Attorney
Federal Bureau of Prisons
Northeast Regional Office
Philadelphia, PA